

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New Mexico

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO
2024 OCT 17 PM 2:59
CLERK-LAS CRUCES

United States of America
v.
Guillermo Arciniega-Gonzales

Case No. 24-1502 MJ

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 14, 2024 in the county of Lea in the
District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. §§ 841(a)(1) and (b)(1)
(B)

- Possession with Intent to Distribute 500 Grams of Cocaine and More

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

Victoria Espinoza
Complainant's signature

DEA Special Agent Victoria Espinoza

Printed name and title

Electronically submitted and telephonically sworn to before
me.

Date: 10/17/24

City and state: Las Cruces, NM

Barbara S. Evans

Judge's signature

Barbara S. Evans, U.S. Magistrate Judge

Printed name and title

United States of America
vs.
Guillermo Arciniega-Gonzales

I, Victoria Espinoza, Affiant, being duly sworn, state that the following information is true and correct to the best of my knowledge and belief:

On August 14, 2024, a deputy with the Lea County Sheriff's Office ("LCSO") conducted a traffic stop on the Cadillac, for speeding and careless driving.

During the stop, the driver provided a Mexico Identification card with the name of Javier Rufino Cuevas Mendez with the date of birth in May 1975. When the deputy asked the driver's date of birth, he responded with the year 1971. The deputy then had to ask what month and day, to which the driver responded with a date in August.

As a result of this Arciniega was arrested for concealing identity and careless driving. During a search incident to arrest, deputies located approximately 1.2 grams of suspected cocaine wrapped in a \$20 bill and approximately 10.8 grams of suspected cocaine in white plastic wrap in Arciniega's front jean pockets. Arciniega also had approximately \$2,262 in his jean pockets. Arciniega was then transported to the Lea County Detention Center ("LCDC"). The driver later admitted his name was Guillermo Arciniega-Gonzales.

Due to the amount of cocaine and U.S. currency located during the arrest, the Cadillac was towed to the Lea County Sheriff's Office pending a search warrant.

On August 15, 2024, deputies and agents with the LCSO and the LCDTF executed a search warrant on the Cadillac.

During the search of the Cadillac, agents located a black duffle bag on the backseat floorboard behind the front passenger seat. Located in the duffle bag was a brick shaped bundle wrapped in black and brown tape containing cocaine weighing approximately 1.2 kilograms.

On August 15, 2024, Arciniega was charged by complaint, by the State, for trafficking a controlled substance. Agents arrested Arciniega on the same day.

Arciniega then was read his *Miranda* rights in Spanish. Arciniega stated he understood his rights and voluntarily agreed to speak with agents. Arciniega stated he was the owner of the kilogram of cocaine seized from the Cadillac. Arciniega also stated he picked up the cocaine in Texas somewhere and was taking it to Clovis, NM, where he lives.

The cocaine seized from the Cadillac was sent to the DEA Laboratory and tested positive for cocaine with a net weight of 986.9 grams.


Arciniega was previously convicted of Illegal Re-Entry of a Removed Alien in cause number 20-CR-1304-WJ and at the time of his arrest was on unsupervised supervised release in that case in in the District of New Mexico.

I know based on my training and experience that the amount of cocaine seized from the Cadillac is more consistent with the trafficking and distribution of cocaine than with amounts associated with possession for personal use.

Based on the above, there is probable cause to believe that on August 14, 2024, in the District of New Mexico, Arciniega-Gonzales committed the following offenses:


Count 1: Possession with Intent to Distribute 500 Grams of Cocaine and More, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B);

AUSA Kirk Williams authorized federal prosecution of Arciniega for the above-referenced crimes.



Victoria Espinoza
Special Agent
Drug Enforcement Administration

Electronically submitted and telephonically
Sworn to before me on this 17th day of October, 2024.



Barbara S. Evans
United States Magistrate Judge